

Counsel of Record:

Mark K. Schonfeld (MS-2798)

Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

New York Regional Office

3 World Financial Center, Suite 400

New York, NY 10281-1022

(212) 336-0107 (Kazon)

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

RABINOVICH & ASSOCIATES, LP,

ALEX RABINOVICH AND

JOSEPH LOVAGLIO,

Defendants.

07 Civ. 10547 (GEL)

**NOTICE OF MOTION FOR ADMISSION
PRO HAC VICE OF JAMES E. BURT IV**

TO: Salvatore Strazzullo, Esq.
Counsel for Defendant Alex Rabinovich
Strazzullo Law Firm
100 Park Avenue, Suite 1600
New York, NY 10017
Via Federal Express and e-mail: nyclawyers@aol.com

Vincent Romano, Esq.
Counsel for Defendant Joseph Lovaglio
9201 Fourth Avenue, Suite 704
Brooklyn, NY 11209
Via Federal Express and Fax: 718-921-4526

PLEASE TAKE NOTICE that Plaintiff Securities and Exchange Commission, through undersigned counsel, brings the attached Motion for Admission Pro Hac Vice under Rule 7 of the Federal Rules of Civil Procedure and Local Civil Rule 1.3(c).

Date: December 11, 2007
New York, New York

MARK K. SCHONFELD (MS-2798)
Regional Director

By: 
Leslie Kazon (LK-6777)
Attorney for Plaintiff
Securities and Exchange Commission
New York Regional Office
3 World Financial Center, Suite 400
New York, New York 10281-1022
Telephone No. (212) 336-0107

Of Counsel:
James E. Burt IV

Counsel of Record:
Mark K. Schonfeld (MS-2798)
Attorneys for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
New York Regional Office
3 World Financial Center, Suite 400
New York, NY 10281-1022
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

RABINOVICH & ASSOCIATES, LP,
ALEX RABINOVICH AND
JOSEPH LOVAGLIO,

Defendants.

07 Civ. 10547 (GEL)

MOTION FOR ADMISSION PRO HAC VICE
OF JAMES E. BURT IV
AND MEMORANDUM IN SUPPORT

Pursuant to Rule 7 of the Federal Rules of Civil Procedure and Local Civil Rule 1.3(c), Plaintiff Securities and Exchange Commission ("Commission"), through its counsel, moves for admission pro hac vice of James E. Burt IV to represent the Commission in the above-referenced case.

MEMORANDUM IN SUPPORT OF MOTION

This motion should be granted for the reasons set forth below:

1. James E. Burt IV was admitted to practice before the Supreme Court of Louisiana on October 9, 1987, and he remains in good standing before that court. (Declaration Of James E. Burt IV In Support Of Motion For Admission Pro Hac Vice, paragraph 3, dated December 11, 2007, attached hereto as Exhibit 1 (“Burt Declaration”))

2. Mr. Burt is an attorney and branch chief in the New York Regional Office of the Securities and Exchange Commission and has been employed with the Commission for fifteen years and nine months. (Burt Declaration, paragraph 1) He has never been held in contempt of court, censured, suspended, disbarred, or disciplined by any court. (Burt Declaration, paragraph 4)

3. Mr. Burt has read and is familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the Local Civil Rules for the United States District Court for the Southern District of New York. Mr. Burt is familiar with the factual and legal background of this case. (Burt Declaration, paragraph 6)

4. A Certificate of Good Standing from the Supreme Court of Louisiana is attached as Exhibit A to the Burt Declaration. (Burt Declaration, paragraph 5 and Exhibit A)

5. Leslie Kazon, an attorney and assistant regional director with the Commission and a member of the bar of this court, will serve as local counsel on this matter. (Declaration Of Leslie Kazon In Support Of Motion For Admission Pro Hac Vice of James E. Burt IV, paragraph 5, dated December 11, 2007, attached hereto as Exhibit 2)


For these reasons, the Court should grant this motion and issue the attached proposed Order Granting Motion for Admission Pro Hac Vice of James E. Burt IV, attached hereto as Exhibit 3.

Date: December 11, 2007
New York, New York

Respectfully submitted,

MARK K. SCHONFELD (MS-2798)
Regional Director

By:


Leslie Kazon (LK-6777)
Attorney for Plaintiff
Securities and Exchange Commission
New York Regional Office
3 World Financial Center, Suite 400
New York, New York 10281-1022
Telephone No. (212) 336-0107

Of Counsel:
James E. Burt IV

INDEX OF ATTACHED DECLARATIONS AND PROPOSED ORDER

- EXHIBIT 1: Declaration of James E. Burt IV In Support Of Motion For Admission Pro Hac Vice;
- EXHIBIT 2: Declaration Of Leslie Kazon In Support Of Motion For Admission Pro Hac Vice; and
- EXHIBIT 3: Proposed Order Granting Motion For Admission Pro Hac Vice Of James E. Burt IV.

EXHIBIT 1

Counsel of Record:

Mark K. Schonfeld (MS-2798)

Attorneys for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

New York Regional Office

3 World Financial Center, Suite 400

New York, NY 10281-1022

(212) 336-0107 (Kazon)

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

**RABINOVICH & ASSOCIATES, LP,
ALEX RABINOVICH AND
JOSEPH LOVAGLIO,**

Defendants.

07 Civ. 10547 (GEL)

**DECLARATION OF JAMES E. BURT IV
IN SUPPORT OF MOTION FOR ADMISSION
PRO HAC VICE OF JAMES E. BURT IV**

I, JAMES E. BURT IV, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney and branch chief in the New York Regional Office of Plaintiff Securities and Exchange Commission ("Commission"), and I have been employed with the Commission for fifteen years and nine months.

2. I make this Declaration in support of Plaintiff's Motion for Admission Pro Hac Vice of James E. Burt IV.

3. I was admitted to practice before all courts in the state of Louisiana on October 9, 1987, and I remain in good standing before those courts.

4. I have never been held in contempt of court, censured, suspended, disbarred, or disciplined by any court.

5. Attached hereto as Exhibit A is a Certificate of Good Standing from the Supreme Court of Louisiana, dated November 28, 2007.

6. I have read and am familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the Local Civil Rules for the United States District Court for the Southern District of New York. I am familiar with the factual and legal background of this case.

I certify under penalty of perjury that the foregoing statements made by me are true and correct.



James E. Burt IV

Executed: December 11, 2007
New York, New York

EXHIBIT A

Louisiana State Bar Association

The Louisiana State Bar Association hereby certifies that _____

Mr. James Edward Burt, IV

3 World Financial Center Rm 4300

whose address is _____

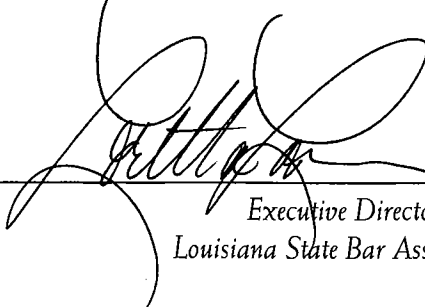
New York, NY 10281-1022

is a member in good standing of the Louisiana State Bar Association as of this date, and that

said person was duly admitted to practice in the courts of the State of Louisiana on the

9th day of October 1987

Given over my hand and the Seal of the Louisiana State Bar Association, this 28th
day of November 2007



Executive Director
Louisiana State Bar Association

EXHIBIT 2

(212) 336-0107 (Kazon)

07 Civ. 10547 (GEL)

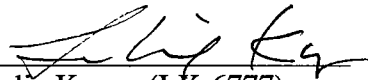
2. I make this Declaration in support of Plaintiff's Motion for Admission Pro Hac
Vice of James E. Burt IV.

3. I was admitted to practice before the United States District Court for the Southern District of New York on June 23, 1983, and remain in good standing before this Court.

4. I have never been held in contempt of court, censured, suspended, disbarred, or disciplined by any court.

5. I agree to serve as local counsel in this matter.

I certify under penalty of perjury that the foregoing statements made by me are true and correct.


Leslie Kazon (LK-6777)

Executed: December 11, 2007
New York, New York

EXHIBIT 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

RABINOVICH & ASSOCIATES, LP,
ALEX RABINOVICH AND
JOSEPH LOVAGLIO,

Defendants.

07 Civ. 10547 (GEL)

ORDER GRANTING MOTION FOR
ADMISSION PRO HAC VICE OF JAMES E. BURT IV

This matter having come before the Court on the application of Plaintiff United States Securities and Exchange Commission ("Commission") for the admission of James E. Burt IV to represent the Commission pro hac vice in this matter, and the Court having reviewed the pleadings, and for good cause shown:

NOW THEREFORE, IT IS HEREBY ORDERED THAT the Commission's motion should be and hereby is GRANTED, and James E. Burt IV is hereby admitted to practice pro hac vice before this Court.

SO ORDERED.

Dated: December __, 2007

United States District Judge

Counsel of Record:
Mark K. Schonfeld (MS-2798)
Attorneys for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
New York Regional Office
3 World Financial Center, Suite 400
New York, NY 10281-1022
(212) 336-0107 (Kazon)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

RABINOVICH & ASSOCIATES, LP,
ALEX RABINOVICH AND
JOSEPH LOVAGLIO,

Defendants.

07 Civ. 10547 (GEL)

DECLARATION OF SERVICE

I, Michael Paley, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over 21 years of age, employed by the United States Securities and Exchange Commission ("Commission") as an attorney in the Commission's New York Regional Office, and am not a party to the above-captioned action.

2. On December 11, 2007, I caused true and correct copies of 1) Notice Of Motion For Admission Pro Hac Vice Of James E. Burt IV, 2) Motion For Admission Pro Hac Vice Of James E. Burt IV And Memorandum In Support, 3) Declaration Of James E. Burt IV In Support Of Motion For Admission Pro Hac Vice Of James E. Burt IV, 4) Declaration Of Leslie Kazon In Support Of Motion For Admission Pro Hac Vice Of James E. Burt IV, and 5)

proposed Order Granting Motion For Admission Pro Hac Vice Of James E. Burt IV, to be served to all persons below in the manner indicated:

Salvatore Strazzullo, Esq.
Counsel for Defendant Alex Rabinovich
Strazzullo Law Firm
100 Park Avenue, Suite 1600
New York, NY 10017
Via Federal Express and e-mail: nyclawyers@aol.com

Vincent Romano, Esq.
Counsel for Defendant Joseph Lovaglio
9201 Fourth Avenue, Suite 704
Brooklyn, NY 11209
Via Federal Express and Fax: 718-921-4526

I declare under penalty of perjury that the foregoing is true and correct.

Executed: December 11, 2007
New York, New York.


Michael Paley